

EXHIBIT D

From: [Braun, Daniel \(Law\)](#)
To: [Marquez, Lillian](#); [Robinson, Amy \(LAW\)](#); [Nelson, Genevieve \(Law\)](#); [Weng, Jenny \(Law\)](#)
Cc: [NYC Law Protest Team](#); [AG-NYPLitigation](#); [GrayLegalTeam@dwt.com](#); [Payne Litigation Team](#); [sierrateam@moskovitzlaw.com](#); ["Sow-Legal"](#); [Hernandez Team](#); [wood](#); [rolonlegalteam@aboushi.com](#)
Subject: RE: [EXTERNAL] RE: RFA Responses
Date: Friday, June 17, 2022 4:16:20 PM

Lillian,

Thank you for letting me know plaintiffs are available on the morning of Thursday, June 23rd. I will send a meeting invite for 10:00am on that date.

To help facilitate a productive meeting, defendants, thus far, regard the following RFAs as improper both individually, as well as conjunctively (as the unusually large number and extraordinarily detailed nature of each, taken together, additionally creates undue burden):

- RFAs seeking admission to statements already in writing/on video/ publicly available:
 - RFA Nos.: 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 37, 43, 45, 46, 49, 50, 51, 66-70, 72, 141-144, 146, 147, 149 , 232
- RFAs seeking admission that cannot be answered without further explanation/ relies on a highly disputed fact:
 - RFA Nos.: 21, 22, 23, 24, 29, 34, 52, 54, 58, 71, 76-78, 81, 85-87, 92-95, 100, 103-105, 110-113, 124-133, 161, 164, 165, 167, 168, 175, 176, 183, 184, 188-190, 192, 202-204, 207-212, 215-217, 220-228, 233-238, 245, 246, 247, 253, 256, 258, 260-262, 267, 268, 274, 276, 283, 284
- RFAs seeking improper admissions regarding facts about plaintiffs
 - RFA Nos. 53, 55, 163 , 166, 174, 181, 194, 195, 200, 201, 213, 214, 254, 255, 266, 275
- RFAs used as improper tool of discovery, seeking admissions about officer noticed to be deposed/already deposed
 - RFA Nos.: 56-57, 59-63, 73-75, 80, 81, 83, 84, 88-91, 99, 101-102, 106-109, 123, 162, 170-172, 178-180, 185-187, 193, 196-198, 205, 218, 230-231, 242-244, 248-251, 259, 263-265, 269-271, 278-282
- RFAs improperly seeking admissions of violation of policy
 - RFA no. 63, 199
- RFAs improperly seeking admissions pertaining to plaintiff from a pending litigation in a non-consolidated case:
 - RFA Nos. 64-78, 36-42
- RFAs seeking admissions relating to Yates, no longer part of consolidated -(RFA Nos. 150-158)
- RFAs used as improper tool of discovery re policy / training (RFA nos. 1, 240, 241)
- RFAs used as improper tool of discovery re NYPD investigations re white supremacy (RFA nos. 25, 26, 27, 28, 30, 31, 32, 33)
- RFAs used as improper tool of discovery re meetings / communications related to high level officials (RFA nos. 3, 4, 7, 136, 137, 138)
- RFAs used as improper tool of discovery seeking admission that someone was/was not arrested and/or charged (RFA Nos. 38, 39, 41, 43, 45, 46, 169, 173, 177, 182, 191, 206, 239,

252, 257, 273, 277, 286)

- RFAs used as improper tool of discovery re SRG/Mott Haven (RFA Nos. 2, 114-122, 134-139, 219)

Defendants look forward to discussing the above with plaintiffs next Thursday, June 23rd at 10:00 a.m.

Regards,

Daniel M. Braun
Senior Counsel
Special Federal Litigation Division
Office of the Corporation Counsel
100 Church Street
New York, NY 10007
dbraun@law.nyc.gov
212-356-2659

This message and any attached documents contain information from the Office of the Corporation Counsel that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information. If you received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

From: Marquez, Lillian <Lillian.Marquez@ag.ny.gov>
Sent: Thursday, June 16, 2022 5:48 PM
To: Braun, Daniel (Law) <dbraun@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Weng, Jenny (Law) <jweng@law.nyc.gov>
Cc: NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>; AG-NYPLitigation <AG.NYPLitigation@ag.ny.gov>; GrayLegalTeam@dwt.com; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; sierrateam@moskovitzlaw.com; 'Sow-Legal' <Sow-Legal@blhny.com>; Hernandez Team <hernandez@femmelaw.com>; wood <wood@kllflaw.com>; rolonlegalteam@aboushi.com
Subject: [EXTERNAL] RE: RFA Responses

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@cyber.nyc.gov as an attachment (Click the More button, then forward as attachment).

Daniel,

The Court has already seen the RFAs and ordered them due July 1. That said, please advise prior to the meet and confer specifically what relief you will be seeking (as it is not clear from your email) and what, if any, specific RFAs you object to and why so we can have a productive meeting.

Plaintiffs are available to meet the morning of Thursday, June 23.

Regards,

Lillian Marquez | Assistant Attorney General

New York State Office of the Attorney General, Civil Rights Bureau

28 Liberty St., New York, NY 10005

Tel: 212-416-6401 | lillian.marquez@ag.ny.gov | www.ag.ny.gov

Pronouns: She/Her/Hers

From: Braun, Daniel (Law) <dbraun@law.nyc.gov>

Sent: Thursday, June 16, 2022 11:58 AM

To: Marquez, Lillian <Lillian.Marquez@ag.ny.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>;

Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Weng, Jenny (Law) <jweng@law.nyc.gov>

Cc: NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>; AG-NYPDLitigation

<AG.NYPDLitigation@ag.ny.gov>; GrayLegalTeam@dwt.com; Payne Litigation Team

<PayneLitigationTeam@nyclu.org>; sierrateam@moskovitzlaw.com; 'Sow-Legal' <Sow-Legal@blhny.com>; Hernandez Team <hernandez@femmelaw.com>; wood <wood@klflaw.com>;

rolonlegalteam@aboushi.com

Subject: RFA Responses

[EXTERNAL]

Counselors:

Given the unusually large number and extraordinarily detailed nature of plaintiffs' Requests for Admission, which create undue burden, defendants intend to seek a protective order. Before moving, defendants seek to meet and confer with plaintiffs. Please advise on your availability for this coming Wednesday, June 22nd (except from 1-2pm), or Thursday, June 23rd.

Yours,

Daniel M. Braun

Senior Counsel

Special Federal Litigation Division

Office of the Corporation Counsel

100 Church Street

New York, NY 10007

dbraun@law.nyc.gov

212-356-2659

This message and any attached documents contain information from the Office of the Corporation Counsel that may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute, or use this information. If you received this transmission in error, please notify the sender immediately by reply e-mail and then delete this message.

IMPORTANT NOTICE: This e-mail, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee. If you received this e-mail in error or from someone who was not authorized to send it to you, do not disseminate, copy or otherwise use this e-mail or its attachments. Please notify the sender immediately by reply e-mail and delete the e-mail from your system.